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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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12 SECURITIES AND EXCHANGE
13 COMMISSION,

14 Plaintiff,

15 vs.

16 CRAIG ARSENAULT, ATLAS
17 CAPITAL MANAGEMENT, INC.,
and ACT GLOBAL INVESTMENTS,

18 Defendants.
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Case No. 8:18-cv-02220-DOC-KES

**FINAL JUDGMENT AS TO
DEFENDANT ATLAS CAPITAL
MANAGEMENT, INC.**

1 The Securities and Exchange Commission having filed a Complaint and
2 Defendant Atlas Capital Management, Inc. (“Defendant”) having entered a general
3 appearance; consented to the Court’s jurisdiction over Defendant and the subject
4 matter of this action; consented to entry of the Judgment dated March 5, 2019 (Dkt.
5 Nos. 18, 21) without admitting or denying the allegations of the Complaint (except as
6 to jurisdiction and except as otherwise provided herein in paragraph VI); waived
7 findings of fact and conclusions of law; and waived any right to appeal from that
8 Judgment:

9 **I.**

10 IT IS ORDERED, ADJUDGED AND DECREED that Defendant is
11 permanently restrained from, directly or indirectly, in connection with the purchase or
12 sale of any security, by the use of any means or instrumentality of interstate
13 commerce, or of the mails, or of any facility of any national securities exchange:

- 14 A. employing any device, scheme or artifice to defraud;
- 15 B. making any untrue statement of material fact or to omit to state a
16 material fact necessary in order to make the statements made, in light of
17 the circumstances in which they were made, not materially misleading;
18 and
- 19 C. engaging in any act, practice, or course of business which operates or
20 would operate as a fraud or deceit upon any person;
21 in violation of Section 10(b) of the Exchange Act [[15 U.S.C. § 78j\(b\)](#)] and Rules 10b-
22 5 thereunder [[17 C.F.R. §§ 240.10b-5](#)].

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
24 provided in [Federal Rule of Civil Procedure 65\(d\)\(2\)](#), the foregoing paragraph also
25 binds the following who receive actual notice of this Judgment by personal service or
26 otherwise: (a) Defendant’s officers, agents, servants, employees, and attorneys; and
27 (b) other persons in active concert or participation with Defendant or with anyone
28 described in (a).

II.

IT IS FURTHER ORDERED that Defendant is permanently restrained and enjoined from, directly or indirectly, in the offer or sale of any securities, by the use of any means or instruments of transportation or communication in interstate commerce or by the use of the mails:

- A. employing any device, scheme or artifice to defraud;
 - B. obtaining money or property by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
 - C. engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon the purchaser;
- in violation of Section 17(a) of the Securities Act, 15 U.S.C. § 77q(a).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also binds the following who receive actual notice of this Judgment by personal service or otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and (b) other persons in active concert or participation with Defendant or with anyone described in (a).

III.

IT IS FURTHER ORDERED that Defendant is permanently restrained and enjoined from:

- A. employing any device, scheme or artifice to defraud any client or prospective client; and
 - B. engaging in any transaction, practice, or course of business which operates or would operate as a fraud or deceit upon any client or prospective client;
- in violation of Sections 206(1) and (2) of the Advisers Act, 15 U.S.C. §§ 80b-6(1) &

1 80b-6(2).

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, as
3 provided in Federal Rule of Civil Procedure 65(d)(2), the foregoing paragraph also
4 binds the following who receive actual notice of this Judgment by personal service or
5 otherwise: (a) Defendant's officers, agents, servants, employees, and attorneys; and
6 (b) other persons in active concert or participation with Defendant or with anyone
7 described in (a).

8 **IV.**

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
10 Consent is incorporated herein with the same force and effect as if fully set forth
11 herein, and that Defendant shall comply with all of the undertakings and agreements
12 set forth therein.

13 **V.**

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court
15 shall retain jurisdiction of this matter for the purposes of enforcing the terms of this
16 Judgment.

17 IT IS SO ORDERED.
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20 Dated: August 26, 2022



21 DAVID O. CARTER
22 STATES DISTRICT JUDGE
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